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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,880	11/26/2003	Yosuke Watanabe	Q78621	6003
23373	7590	10/20/2005	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			JACKSON, ANDRE L	
			ART UNIT	PAPER NUMBER
			3677	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/721,880	<b>Applicant(s)</b> WATANABE ET AL.	
	<b>Examiner</b> Andre' L. Jackson	<b>Art Unit</b> 3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 16-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 November 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/5/05; 11/26/03</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

*DETAILED ACTION*

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 7-15 are rejected under 35 U.S.C. 102(e) as being anticipated by USPAP 2004/0107540 to Hsu. Hsu discloses a rotation shaft mechanism comprising a first unit, a second unit and a hinge mechanism for coupling together said first unit and said second unit and allowing said second unit to turn and swivel with respect to said first unit via said shaft mechanism, said shaft mechanism comprising:

a shaft (3) having a first axis mounting thereon the second unit for allowing the second unit to be turned around the first axis; a swiveling member (4, 5, 6, 45, 46) fixed onto the first unit and allowing the shaft and the second unit to swivel with respect to the first unit around a second axis perpendicular to the first axis; at least one projection member (33) fixed onto the shaft; and a control member (4) fixed onto the first unit and having a side wall (53), at least a portion of the side wall having a slanted surface, wherein the projection member abuts the side wall to restrict a movement of the second unit.

As to claims 2-5 and 7-10, the sidewall is rectangular shaped and has a slotted or concave grooved top section forming a stopper in which a portion of the projection member abuts to control or restrict a rotation angle between the first unit and the second unit when the second unit

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is turned from a starting point or folded position toward 180 degrees about the shaft axis (see paragraphs [0027] and [0028]).

As to claims 11, 12 and 15, the control member is of a U-shape in cross sectional view. The at least one projection member includes two projection members apart from one another in a turning direction of a display portion (second unit) where the projection members abut a first portion of the control member when the display portion is folded on the base portion and the projection members also abuts a second portion of the control member when the display portion is unfolded from base portion by turning. The first and second projecting members have an abutment surface defining a tangent line extending in a radial direction of the shaft, and the side wall of the control member has a tangential line extending in the radial direction.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu. Although Hsu discloses a rotation angle of the second unit about the first axis is about 180 degrees, Hsu does not specifically disclose that when the first and second projections abut the side walls of the control member at a specific rotation angle between 160 to 170 degrees upon rotating the second unit as claimed. Here, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention was made to modify the first and second projection's abutting

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surface to abut the side walls of the control member at a rotation angle between 160 to 170 degrees, since it has been held that when the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art.

*In re Aller, 105 USPQ 233.*

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In particular, Anderson, Novin et al and Rinn et al all disclose rotary hinge apparatuses, which include the similar structural limitations to applicant's claimed invention and may be used singly or in combination with the prior art relied upon to meet the limitations claimed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre' L. Jackson whose telephone number is (571) 272-7067. The examiner can normally be reached on Mon. - Fri. (9:30 am - 6 pm).

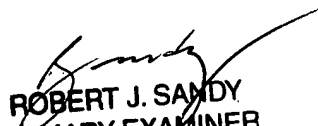
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

André L. Jackson  
Patent Examiner  
AU 3677

ALJ

  
ROBERT J. SANDY  
PRIMARY EXAMINER